IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1675 OF 2006

Mrs. Fais Fatma Qureshi and ors. ..Applicants.
Vs.
The State of Maharashtra. ..Respondent.

Mr. R.F. Lambay i/by Lambay and Company for the applicant.

Mr. Pravinchandra C. Arichal for the Respondent No.2.

A.P.P. Ms. S.V. Gajare for the State.

CORAM : R.S. MOHITE,J.
DATED : 12/6/2006.

P.C.

1. This is an application for grant of bail. All the three applicants are ladies who are shown as an accused in C.R.No.61/2006 registered by Kalachowki Police Station for the offences punishable under Section 498A and B, 323, 406, 50r read with 34 of the I.P.C. The police have registered this offence on the complaint of one Smt.Amina Banoo Qureshi. The complaint is regarding the ill-treatment caused by the applicants, her husband, her father-in-law and brother-in-law who were three male accused. The applicants and the male members of the family had filed an application for anticipatory bail but the same came to be rejected by the Sessions Court on 31.3.3005. Thereafter, the police arrested three

male members i.e. the husband of the complainant, brother-in-law and father-in-law and they remained in custody for about 6 to 7 days i.e. till they were granted bail. In the mean while, the police have seized almost all the articles named in the list which was annexed to the F.I.R. which was alleged to be the Sridhan. The admitted position is that the present applicants and the other accused were agreeable to return back the property shown in the list attached to the F.I.R. to the wife and the property has been returned. This factual position is also admitted by the Advocate who appears for the first informant -wife. Taking into consideration the fact that the applicants are ladies who are not arrested by the police, the fact that the male members were in fact arrested and lastly taking into consideration the fact that the Sridhan articles have been received by the complainant wife, investigation can proceed without the custody of the present applicants. It is therefore, directed that in the event of arrest in connection with C.R.No.61/2006 registered by Kalachowki Police Station, the applicants may be released on bail in the sum of Rs.5000/- each with one surety each in the like amount subject to the condition that they will report to the Investigating Officer as and when called by the I.O. in writing.

(R. S. MOHITE, J.)

:3: